

REMARKS

The allowance of Claims 1-19 and 40-44 is acknowledged with appreciation. Claims 47-60 are added by this paper. Support for Claims 47-60 is found in the specification and drawings as originally filed.

Claim Rejections – 35 U.S.C. § 112

Claims 20-31, 45 and 46 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 20 is amended with structural language and to provide antecedent basis for the term "needle." Claim 20 is further amended at lines 13-16 to clarify Applicant's intent. Support for the amendments to Claim 20 is found in the specification and the drawings as originally filed. Dependent Claims 21 and 24 are also amended to recite "the movable member."

Claims 20-39 are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements. Claims 20 and 32 are amended to require "a movable member." Support for the amendment to Claim 20 is found, for example, at col. 8, lines 3-31 and at fig. 2. Support for the amendment to Claim 32 is found, for example, at col. 5, line 67 – col. 6, lines 1-3.

Claims 45 and 46 are amended to depend from Claim 44 to provide antecedent basis for the phrase "the step of stopping."

Claim Rejections – 35 U.S.C. § 102

Claim 32 is also rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,385,551 to Shaw ("Shaw"). Claim 32 is amended herein to recite that the retractably mounted needle is releaseably held by a movable member. Shaw fails to disclose a retractably mounted needle being releaseably held by a movable member, as required by amended Claim 32. The retractable needle in Shaw is held by a wall of the syringe body. See, for example, col. 9, lines 52 – col. 10, lines 21; see *also* Fig. 5. Dependent Claim 33 is cancelled in view of the amendment to Claim 32. In light of the amendments to Claim 32, it is respectfully submitted that Shaw does not teach every

aspect of Applicant's invention as defined by amended Claim 32, and, therefore, does not anticipate amended Claim 32.

All claims remaining in the application are believed to be in condition for allowance and patentable over the cited prior art. Withdrawal of the rejections and allowance of the application are therefore respectfully requested.

The Commissioner is hereby authorized to charge the fee due for the additional claims or any additional fee due to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,



Kristen R. Paris
Registration No. 52,092

Date: April 24, 2003
LOCKE LIDDELL & SAPP LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201-6776
(214) 740-8678
(214) 740-8800 (fax)